



U.S. Department of Justice
Executive Office for Immigration Review
Office of the Director
5107 Leesburg Pike, Suite 2600
Falls Church, Virginia 22041

NEWS RELEASE

Contact: Office of Legislative and Public Affairs
(703)305-0289 Fax: (703)605-0365
Internet: www.usdoj.gov/eoir

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EOIR Notifies Persons Eligible for Full Asylum Benefits for Fiscal Year 2004 Based on Coercive Population Control Policies

FALLS CHURCH, VA – The Executive Office for Immigration Review (EOIR) today announced that notices have been sent to those individuals in the United States with conditional grants of asylum based on resistance to a coercive population control program (CPC) who now are fully eligible for all asylum benefits. The spouses and children of these individuals also are eligible for all asylum benefits if they were properly included in the application for asylum (Form I-589) as dependents and if they reside in the United States. (To receive asylum benefits as dependents, children must be under 21 years of age or classified as children under the Child Status Protection Act.)

The law specifically limits the number of individuals who can be granted asylum on grounds related to CPC to 1,000 per fiscal year (FY). Asylum is granted to such individuals on a conditional basis by Immigration Judges and by the Board of Immigration Appeals in EOIR, or by Asylum Officers in the U.S. Citizenship and Immigration Services (USCIS) of the Department of Homeland Security (formerly the Immigration and Naturalization Service). Because the number of individuals who annually establish eligibility for asylum based on CPC has been greater than 1,000, these individuals are placed on a waiting list and remain in conditional grant status until one of the 1,000 final approval authorization numbers becomes available. More than 9,000 asylum applicants currently are on the waiting list. Consequently, for those who were granted conditional asylum during FY 2004, the waiting period for full asylum benefits is approximately 9 years.

Each fiscal year, EOIR and USCIS chronologically arrange all conditional asylum grants by the date of the conditional grant, convert no more than 1,000 to full asylum grants, and then notify the grantees by mail. Final approval for full asylum benefits cannot be issued in an individual case until the required identity, background, and security checks have been completed for the principal applicant and for all included dependent family members in the United States.

The USCIS has issued approximately 800 of the 1,000 FY 2004 final approval authorization numbers. Most individuals who were conditionally granted asylum by EOIR or USCIS on or before September 15, 2000, and whose identity, background, and security checks have been updated and cleared, have been notified of eligibility for full asylum benefits.

Because of additional security check requirements added in FY 2003, the process of issuing the 1,000 final asylum approvals has taken longer than in previous years, and final approvals are being issued in smaller groups than in the past. USCIS is closely monitoring the results of the security checks and is issuing final approvals of asylum, as individuals receive their security clearances, up to the 1,000 annual cap.

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Status Inquiries

Persons who were granted conditional asylum on or before September 15, 2000, but who have not received a notice regarding final asylum approval, should check on the status of their final asylum approval, if they have not already done so, by sending a letter to the appropriate address specified below. The letter should include:

- Full name of the person who filed the asylum application and has been granted conditional asylum,
- His or her date of birth,
- His or her alien number,
- His or her current address (see also **Required Actions**, below), and
- A copy of the order or letter granting conditional asylum.

*If an **Immigration Judge** issued the conditional grant of asylum, status inquiries must be sent to:*

Office of the Chief Immigration Judge
Attn: CPC Status Inquiry
5107 Leesburg Pike, Suite 2500
Falls Church, VA 22041

*If the **Board of Immigration Appeals** issued the conditional grant of asylum, status inquiries must be sent to:*

Board of Immigration Appeals
Clerk's Office
Attn: CPC Status Inquiry
Post Office Box 8530
Falls Church, VA 22041 Phone: 703-605-1007

*If a **USCIS Asylum Officer** issued the conditional grant of asylum, status inquiries must be sent to the USCIS Asylum Office that has jurisdiction over the conditional grantee's residence. The USCIS Web site at <http://uscis.gov/graphics/fieldoffices/alphaa.htm> provides the jurisdiction and addresses of the eight USCIS Asylum Offices.*

Required Actions for Individuals with Conditional Asylum

Persons who remain in conditional asylum status must comply with any requests to appear for fingerprinting and biometrics or other background clearance procedures. They also must provide any changes of address promptly in the following manner:

*If an **Immigration Judge** issued the conditional grant of asylum, individuals must submit to the Immigration Court that last had jurisdiction over their case a completed Form EOIR-33/IJ, "Change of Address Form," within **5 days** of any change of address. Addresses for the Immigration Courts can be found on the EOIR Web site at <http://www.usdoj.gov/eoir/sibpages/ICadr.htm>. They **also** must submit a completed Form AR-11, "Alien's Change of Address Card," within **10 days** of any change of address to the Department of Homeland Security at the address indicated in the form instructions.*

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If the **Board of Immigration Appeals** issued the conditional grant of asylum, individuals must submit a completed Form EOIR-33/BIA, “Change of Address Form,” within **5 days** of any change of address to the address below:

Board of Immigration Appeals
Clerk’s Office
Post Office Box 8530
Falls Church, VA 22041

Phone: 703-605-1007

They **also** must submit a completed Form AR-11, “Alien’s Change of Address Card,” within **10 days** of any change of address to the Department of Homeland Security at the address indicated in the form instructions.

If a **USCIS Asylum Officer** issued the conditional grant of asylum, individuals must submit to the Department of Homeland Security at the address indicated in the form instructions a completed Form AR-11, “Alien’s Change of Address Card,” within **10 days** of any change of address. They **also** should send a copy of their completed Form AR-11 to the USCIS Asylum Office that has jurisdiction over their residence. The USCIS Web site at <http://uscis.gov/graphics/fieldoffices/alphaa.htm> provides the jurisdiction and addresses of the eight USCIS Asylum Offices.

Change of address forms are available as follows:

- Forms EOIR-33/IJ and EOIR-33/BIA are available on the EOIR Web site at <http://www.usdoj.gov/eoir/formslist.htm>, and
- Form AR-11 is available at local post offices, USCIS offices, and on the USCIS Web site at <http://uscis.gov/graphics/formsfee/forms/ar-11.htm>.

Note: Failure to notify the Government of a change of address, as specified above, may result in ineligibility for a final grant of asylum.

For More Information

Additional information about CPC and asylum is available on the USCIS Web site at <http://uscis.gov/graphics/services/asylum/cpc.htm>. News releases and a fact sheet regarding the annual issuance of full asylum benefits based on CPC are available on EOIR’s Web site at <http://www.usdoj.gov/eoir/press/press.htm>.

Individuals who have received final asylum approval notices may obtain information about their benefits and responsibilities on the USCIS Web site at <http://uscis.gov/graphics/services/asylum/types.htm#grant>.

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